

State of Wisconsin
Checklist for Certification by Non-Participating Manufacturers or Participating Manufacturers
Sec. 895.12, Wis. Stats.

WHO MUST COMPLETE THIS CERTIFICATION

All foreign and domestic tobacco manufacturers requesting certification for their cigarette products, as defined in WI Stats. 895.10 (1)(d), for sale and distribution to Wisconsin consumers whether directly or indirectly through any distributor, retailer, or similar intermediary must complete this certification and submit it along with all forms, schedules and other documentation to the Attorney General's Office.

FILING DUE DATE

A complete and legible certification submission must be received by the Attorney General's Office no later than April 30th of each year.

WISCONSIN DEPARTMENT OF REVENUE (WDOR) MANUFACTURER PERMIT

A domestic (U.S.) manufacturer of cigarette or tobacco products (for imported product, the First Importer of Record of that product into the U.S.) must hold a valid manufacturer and/or importer permit with the Wisconsin Department of Revenue (WDOR). Application for Cigarette and Tobacco Products Permit (CTP-129) is available on WDOR's website at www.dor.state.wi.us under Forms>Excise>Tobacco.

CERTIFICATION FORMS & ATTACHMENTS

When filing your certification, include a checkoff list, labeling each submission and attachment (i.e. Exhibit A—Articles of Incorporation, etc.).

- ☐ CTP-120 Certification by Participating Manufacturer
- ☐ CTP-121 Certification by Non-Participating Manufacturer
- ☐ CTP-122 Brand Summary List for Domestic (U.S.) Manufactured Cigarette Products
 - ☐ CTP-122a Schedule A: Brand Disclosure – Domestic Cigarettes
 - ☐ CTP-122b Schedule B: Brand Disclosure – Domestic Roll-Your-Own
 - ☐ CTP-122c Schedule C: Brand Disclosure – Domestic Little Cigars
- ☐ CTP-123 Brand Summary List for Foreign Manufactured/Imported Cigarette Products
 - ☐ CTP-123a Schedule A: Brand Disclosure – Imported Cigarettes
 - ☐ CTP-123b Schedule B: Brand Disclosure – Imported Roll-Your Own
 - ☐ CTP-123c Schedule C: Brand Disclosure – Imported Little Cigars

Including Required Attached Exhibits – Be sure to label each attachment (e.g. Exhibit A, Exhibit B, etc.):

- ☐ Government Issued Permit(s)/License(s) – U.S. (federal & state) and Foreign (all)
- ☐ Federal TTB (Tax and Trade Bureau) reporting form 5210.5 copies for prior year (all).
- ☐ Articles of Incorporation and bylaws
 - ☐ Certificates of Good Standing from the Secretary of State/Department of Financial Institutions or equivalent.
- ☐ FTC Letter(s) of Compliance for brand label warning approval.
- ☐ HHS Letter(s) of Compliance (If all brands are not listed in the HHS letter, include a notarized affidavit/statement signed by the manufacturer, listing all brands whose full ingredients were included in the listed submission to HHS.)
- ☐ Trademark Owner's Authorization to Customs to Allow Importation of Product into the U.S.
- ☐ Current Price List

Note: The Wisconsin Department of Revenue may require, along with the Letter of Direct Buy, a copy of a signed agreement between the Manufacturer/First Importer of Record and distributors who affix Wisconsin tax stamps to the product for sale and distribution in Wisconsin. The agreement must provide evidence of pricing to cover the MSA charge for Wisconsin sales and should also establish reporting requirements of Wisconsin sales by the distributor to the Manufacturer/First Importer of Record.
- ☐ Sample of packaging (1 package or bag each, any style).
- ☐ Registered Agent's Signed Letter of Acknowledgement (on company letterhead); Non-Participating Manufacturers only.

ASSISTANCE AND FORMS

Information, forms and assistance are available at our following office:

Write to: Wisconsin Department of Justice
17 W Main Street
PO Box 7857, Madison, WI 53707-7857

Phone: (608) 266-0180
Fax: (608) 267-2223

Direct Inquires to: Christopher Blythe, Assistant Attorney General, at the address listed above or phone/fax to the numbers listed above.

When ordering forms, request "Tobacco MSA Certification forms" and include the department's form number that appears in the lower left corner on each form (e.g. CTP-120, CTP-121, CTP-122, CTP-122a, etc.). Forms are also available on the Wisconsin Department of Revenue's website at www.dor.state.wi.us under Forms>Excise>Tobacco Master Settlement Agreement (MSA).